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ABSTRACT

This report examines the special problems associated with establishing paternity and collecting child support from teenage parents. The report reviews public policy options for legislators and is divided into three major sections: establishing paternity, child support enforcement, and state legislative policy and program responses. It notes that an examination of state legislation revealed that many states have paternity establishment and child support enforcement laws and programs, but very few have targeted efforts to the special needs and problems of the teenage population, resulting in few teenage mothers collecting child support, with most relying instead on Aid to Families with Dependent Children (AFDC). The report concludes that state legislators are in a position to remedy this by promoting laws and programs that will encourage paternity establishment, enforce support orders, and make young absent parents more financially capable and responsible. The report includes tables showing AFDC/foster care assistance payments recovered through child support collections and nonmarital births to women under age 20 as a percentage of all births to women under age 20. References are included. (ABL)

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TEENAGE PREGNANCY

PROJECT

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TEEN-AGE PARENTS AND CHILD SUPPORT: CREATING FAMILY TIES

by

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TEEN-AGE PARENTS AND CHILD SUPPORT: CREATING FAMILY TIES

INTRODUCTION

Births to unmarried teen-agers have increased significantly during the last decade. State and local governments are concerned with the economic implications of this trend because children born to unwed mothers are more likely to collect Aid to Families with Dependent Children (AFDC) and often, with their mothers, require additional support services that can be costly to the state.¹

Legislators, of course, are always challenged to control expenditures while continuing to provide needed services. Their traditional response to escalating AFDC expenditures has been to try to enforce parents' financial responsibility for their children. To do this, legislators have depended upon paternity establishment and subsequent child support enforcement.

But paternity establishment and child support enforcement are particularly difficult with the teen-age population. Establishing paternity can be a problem because teen-age mothers often refuse to cooperate with state child support enforcement personnel and their male partners often won't voluntarily declare paternity. A lack of money on the part of young fathers and low agency prioritization make it difficult to collect child support payments within this age group.

This report is an examination of the special problems associated with establishing paternity and collecting child support from teen-age parents. The report reviews public policy options for legislators and is divided into three major sections: establishing paternity, child support enforcement and state legislative policy and program responses.

BACKGROUND

AFDC Dependency. In 1970, about 30 percent of all births to teen-agers were to single mothers. By 1985 the percentage had nearly doubled, reaching 58 percent (see Table 2).² This trend has great potential impact on state finances since unmarried teen-age mothers are less likely to receive child support and more likely to receive AFDC than unmarried older mothers.³

A 1984 study found that among teen-age mothers who were single when their first child was born, three-quarters received AFDC at some time within four years after the birth, compared to one-quarter of the teen-age mothers who were married when their first child was born. In 1986, \$9.4 billion was spent on these AFDC families.⁴

Teen-age mothers experience more poverty and economic distress than older mothers due to low levels of education and high levels of unemployment and single parenting. In 1983, approximately three-fifths of all teen-age mothers did not complete high school, and the same number did not enter the labor force.⁵ Moreover, teen-age mothers are twice as likely as older women never to be married.⁶

Fewer teen-age mothers receive child support than older mothers, and when they do, it is a smaller amount. This may explain, in part, why teen-agers are disproportionately represented on AFDC rolls. In 1984, only 30 percent of single teen-age mothers received child support payments, compared to more than 40 percent of older single mothers. Among those mothers receiving some support, teen-age mothers, or those who had been teen-age mothers, received an average of only \$1,735 in 1984, compared with \$2,800 among older mothers.⁷

The Federal Child Support Enforcement Program. When the AFDC program was first established, a father's death was the major basis for eligibility.⁸ In 1988, however, over 80 percent of the families receiving AFDC are eligible because one parent is absent from the home

due to separation, divorce or abandonment. If absent parents paid child support for their non-marital children, the cost of public assistance could be significantly offset (see Table 1).⁹

In response to this, the federal Child Support Enforcement Program was established under Title IV-D of the Social Security Act in 1975 (P.L. 93-647). The program was designed to locate absent parents, verify paternity and establish and enforce child support orders. Services are provided to AFDC, as well as non-AFDC, families who are in need of support.

Under the current Child Support Enforcement Program, the custodial parent of a minor child can seek assistance in collecting financial support from the absent parent. Families receiving AFDC are required to cooperate with this office, while non-AFDC families can request assistance for a minimal fee for services.

The two major activities of state child support enforcement programs are establishing paternity and enforcing child support orders. Establishing paternity creates a legal parent-child relationship and results in a financial support award for a child born to unmarried parents. Enforcement ensures that non-marital children will receive the financial support to which they are entitled.

PATERNITY ESTABLISHMENT

There are financial and social benefits of paternity establishment. Before a financial obligation can be determined and child support can be collected for non-marital children, the state must have legal proof of a parent-child relationship. This is usually accomplished through tissue and blood testing, mutual agreement, a judicial or quasi-judicial hearing or jury proceedings.

In addition to the direct financial support to which they are entitled, children are often eligible for the social security, pension or veteran's benefits of their fathers. Moreover, children are entitled to medical insurance if it is available to their fathers at a reasonable cost.

Establishing paternity provides children with certain medical information that can be important, such as knowledge of hereditary diseases or of susceptibility to certain illnesses.¹⁰ Children also can gain the psychological benefits of knowing who their father is.

Fathers may also benefit from establishing paternity: they may obtain visitation and decision-making rights. Nevertheless, in the case of adolescent parents, there are many barriers that make this biological link difficult to establish.

Teen-age Mothers. Despite economic disadvantages, teen-age mothers are often hesitant to establish paternity. In some cases, lack of emotional maturity makes them reluctant to become involved with their child's father and, in other instances, they fear criminal sanctions may be imposed against the father. Additionally, they often lack the information they need to make informed decisions about the father's financial obligation to the child.¹¹

Young Fathers. Many young fathers do not willingly acknowledge having fathered a child. They may fear criminal sanctions, be unaware of the benefits of paternity establishment, fear negative repercussions in their own families, or have a strained relationship with the mother and her family.

CHILD SUPPORT ENFORCEMENT

For some teen-age mothers, problems in collecting child support payments can be attributed, in part, to high unemployment and low wages among teen-age males. The unemployment rate for males under 20 is nearly 18 percent, and in 1984, 65.3 percent of 16- to

19-year-old hourly workers were working for less than \$4 an hour.¹² To compound these problems, many teen-age fathers are high school dropouts.

But not all absent fathers are teen-agers. In fact, at least 47 percent of the children born to females between 15 and 19 years old have fathers that are age 20 years or older.¹³ Most absent fathers in this group should be able to make at least minimal child support payments since 76 percent are employed, and of these, 74 percent make more than minimum wage.¹⁴

Given the overall low earning power of young fathers, child support enforcement for children of teen-agers often is not fully pursued by state agencies and prosecuting attorneys. State agencies are frequently under-staffed and financially strained; therefore, they prioritize the cases they will actively pursue, which are those cases most likely to be profitable.

However, creating some kind of financial obligation, even a small one, is important and can be profitable in the long run. First, by establishing an obligation early, the state can help young fathers develop a sense of responsibility for their children, which increases the likelihood that they will continue to make payments until the child's emancipation. Second, an established support obligation makes it easier for state child support officials to keep track of the absent father.¹⁵ It is important to note that as the father's wages increase, the child support award can be modified to lessen the burden of support carried by the state.

LEGISLATIVE INITIATIVES

There are many federal and state laws that help in establishing paternity and collecting child support payments. For example, most states have complied with the federal mandates to provide for mandatory income withholding, expedited legal processes, state income tax refund intercepts, imposition of liens on real and personal property, paternity establishment up to age 18, the posting of security bonds or other guarantees, and the release of information on overdue support to credit reporting agencies.

While state legislation has helped to increase child support collections overall, it has rarely addressed the special problems of collecting child support for children of teen-age parents.

Wisconsin. Only two states have taken an active role in legislating child support enforcement policies aimed at the teen-age population. In 1985, Wisconsin passed a grandparent liability statute (Wisc. Public Acts 56) requiring the parents of a teen-age parent who is unable to pay court-ordered child support, to pay that support until their teen-ager reaches legal age. It was hoped that this law would increase parent/teen-ager communication about sexuality and family responsibility with a subsequent reduction in teen-age pregnancy rates and that it would promote shared grandparent support of children of unmarried minors.

A preliminary evaluation of the act was conducted in 1987 by the Wisconsin Department of Health and Social Services. Results showed that of an average monthly caseload of 900 minor parents, only 47 were referred to the district attorney for adjudication under the grandparent liability statute. Of the 47, grandparent support was ordered in only seven cases, with the average monthly payment set at \$70.50.¹⁶ The low rate in pursuing support orders from grandparents was attributed to problems in establishing paternity and the low priority these cases were given.

Regarding paternity, 73 percent of Wisconsin child support directors interviewed stated that minor mothers continue to refuse to cooperate with child support agencies by providing information on their child's alleged father, even though the law requires that child support be collected from both maternal and paternal grandparents.

These cases are a low priority because they are time-consuming and costly to pursue. A county liaison reviews new case files on teen-age mothers applying for AFDC benefits to

determine whether the case should be referred to the district attorney for prosecution under the grandparent liability statute. Liaisons report that most cases are not referred because grandparents lack the resources to pay child support. Those cases that are referred to the district attorney may still not be pursued because grandparents are only liable until the teen-age parent reaches 18 years of age.¹⁷ By the time an order is issued, most teen-age parents have reached this age.

Hawaii. In 1986, Hawaii passed a grandparent liability law that was essentially the same as the Wisconsin law (Hawaii Rev. Stat. sect. 584-15 1986). Again, the results have not been as dramatic as originally anticipated, for the same reasons found in Wisconsin.*

It appears that much of the problem with grandparent liability legislation lies in getting paternity established and doing so quickly. Perhaps paternity counseling and stronger paternity legislation would improve the success of the legislation.

PROGRAMS

With the help of legislative appropriations, states are developing programs that assist in early paternity establishment and help increase child support enforcement awards. The programs below contain one or more of the elements for a comprehensive strategy that addresses the causes of non-support among teen-agers. These elements are: media campaigns and counseling to teach young fathers about the importance of paternity establishment; educational incentives; job training and placement; parenting skills training; and child support enforcement.

The Teen Alternative Parenting Program (TAPP). This program is operated out of the Child Support Division of the Office of the Prosecuting Attorney of Marion County, in Indianapolis, Indiana, and has two major components. The first component is a program directed at fathers up to age 21 that is run by paralegals through in-kind contributions from the county prosecutor's office.

Young fathers earn credit toward their child support payments by participating in one of three program areas: an alternative education or general high school equivalency project; a parenting skills class; or an agency that teaches job-securing skills. The teen-age fathers are required to make a weekly visit to their children and to pay a minimal amount of their support order. In its first six months, 49 males completed the program, of which 89 percent were making at least minimal child support payments at the end of the program.

The second segment targets older, chronically unemployed fathers over age 21. It is funded by the Child Support Division of the Prosecutor's Office at an estimated annual cost of \$52,000 and offers job training, instruction in resume preparation and self-confidence building. Young fathers are referred to the program by the court system after paternity adjudication hearings.

In its first eight months, 325 males completed this segment of the program. Of these graduates, 242 found jobs and were paying at least some child support when they left the program.¹⁸

Teenage Pregnancy and Parenting Program (TAPP). Another model program is located in San Francisco, California. The school district, community agencies and the Departments of Social Services and Public Health collaborate to provide comprehensive services to pregnant and parenting teen-agers, using state and federal funding. Young fathers and mothers are provided counseling services, parenting classes and referrals to other agencies.

*Catherine Carman, Child Support Enforcement Agency, April 1987, personal communication.

One component of the program is counseling on paternity establishment. A program counselor explains the advantages of paternity establishment and encourages young parents to establish paternity. Program administrators estimate, however, that less than 2 percent of the fathers who enroll in the program establish paternity after the counseling.* Reasons given for the low rate of paternity establishment are that younger males are considered low priority in paternity cases due to their low earnings; and that the fathers fear the legal system, want to avoid long-term commitments and believe they can provide more assistance through informal support.

Perhaps referrals through the court system and closer coordination with the prosecutor's office may improve the outcome of paternity establishment.

Looking Beyond Teenage Pregnancy. Georgia has initiated a media campaign to alert both young mothers and fathers about the financial responsibilities of parenthood. The program, Looking Beyond Teenage Pregnancy, is administered by the Georgia Office of Child Support Recovery with financing from state and federal sources, with an annual budget of \$15,000.

The program distributes a four-page tabloid to schools, health centers and community centers that answers child support questions, explains the services offered by the Georgia Child Support Recovery Office and gives the phone numbers of local support enforcement offices for additional assistance. Over a two-year period, 650,000 tabloids were produced at a cost of only 2.3 cents each.

The newspaper has been widely accepted by both parents and the community-at-large, and has been so successful that all the local school districts have adopted it. Moreover, seven other states--Alabama, California, Kentucky, Mississippi, Nevada, South Carolina and West Virginia--are now using the newspaper.¹⁹

PUBLIC POLICY STRATEGIES

Paternity establishment could be a key issue in addressing the problem of child support and young fathers. Legislators, therefore, may want to consider public policy strategies that make establishing paternity of young fathers a state priority. One option is to offer monetary incentives to county child support enforcement agencies for increased paternity establishment among young fathers. States currently receive federal incentive awards for cost-effectiveness in their child support collections. Similar incentives could be used to award counties that increase their teen-age paternity establishments by a certain percentage within a certain time frame.

Second, states can use their federal child support incentive funds to finance comprehensive programs for young fathers that provide paternity establishment counseling, educational incentives, job training and placement, parenting skills and child support enforcement.

Legislators may also wish to consider strengthening current paternity legislation. First, language that requires the court to presume parentage based on specific blood test results--usually a 95 percent probability or greater--promotes early settlement of paternity establishment cases. Second, federal regulations mandate time-frames for child support establishment and enforcement. Legislators may specify that these time-frames be applied to paternity cases involving young fathers. Finally, allowing absent fathers to acknowledge paternity, without a full hearing, can also expedite paternity establishment. Under the current system, many states require a court appearance to establish a legal father-child relationship, which involves extra expense and time.

*Michael Mena, Teenage Pregnancy and Parenting Program, April 1987, personal communication.

CONCLUSION

Many states have paternity establishment and child support enforcement laws and programs, but very few have targeted efforts to the special needs and problems of the teen-age population. As a result, few single teen-age mothers collect child support, relying, instead, on AFDC. State legislators are in a position to remedy this by promoting laws and programs that will encourage paternity establishment, enforce support orders and make young absent parents more financially capable and responsible.

This document was prepared under a grant from the Ford Foundation. Heather Maggard, senior project manager, contributed to this State Legislative Report, as did the NCSL Child Support Enforcement Project.

Table 1.

**Percentage of AFDC/Foster Care Assistance Payments
Recovered through Child Support Collections, 1986**

State	AFDC/Foster Care Payments	Percentage of AFDC/Foster Care Assistance Payments Recovered
Alabama	\$ 4,199,029	21.2
Alaska	396,427	5.6
Arizona	640,111	3.5
Arkansas	2,345,482	16.6
California	27,969,744	5.7
Colorado	1,652,237	10.5
Connecticut	3,385,859	11.4
Delaware	788,876	16.3
Dist. of Columbia	600,463	3.6
Florida	7,203,762	10.1
Georgia	4,640,840	9.7
Hawaii	1,033,651	7.6
Idaho	624,205	24.8
Illinois	6,465,558	4.0
Indiana	7,606,702	20.2
Iowa	4,822,098	18.2
Kansas	2,289,342	12.6
Kentucky	3,062,471	8.0
Louisiana	4,564,400	8.9
Maine	4,797,606	16.7
Maryland	10,698,286	12.9
Massachusetts	10,434,854	11.5
Michigan	21,042,108	12.8
Minnesota	5,904,735	13.1
Mississippi	3,604,239	8.1
Missouri	3,924,960	9.8
Montana	499,340	11.0
Nebraska	1,221,523	10.7
Nevada	728,293	18.3
New Hampshire	455,025	12.1
New Jersey	17,748,910	11.4
New Mexico	689,303	9.4
New York	23,633,362	4.3
North Carolina	8,575,023	15.2
North Dakota	638,685	15.8
Ohio	15,581,935	8.9
Oklahoma	1,182,083	7.2
Oregon	2,973,194	13.1
Pennsylvania	19,607,441	10.5
Rhode Island	1,356,357	7.5
South Carolina	4,941,369	10.2
South Dakota	444,284	13.8
Tennessee	3,639,393	9.7
Texas	3,795,095	6.2
Utah	1,453,584	22.7
Vermont	820,176	10.4
Virginia	2,182,566	7.7
Washington	4,823,439	10.3
West Virginia	1,217,741	7.5
Wisconsin	10,332,095	11.5
Wyoming	366,608	8.8
Totals	\$273,604,869	8.6

Source: Eleventh Annual Report to Congress, Office of Child Support, U.S. Department of Health and Human Services, September, 1986.

Table 2.

**Nonmarital Births to Women Under Age 20 As a
Percentage of All Births to Women Under Age 20**

State	Number of Nonmarital Births- Women Under Age 20	Number of Births- Women Under Age 20	Nonmarital Births As A Percentage of All Births Women Under Age 20
Alabama	5,932	10,702	55%
Alaska	588	1,112	53
Arizona	4,801	8,156	59
Arkansas	3,370	6,756	50
California	30,511	51,290	59
Colorado	3,242	5,726	57
Connecticut	2,915	4,050	72
Delaware	929	1,318	70
Dist. of Columbia	1,610	1,761	91
Florida	13,817	22,774	61
Georgia	9,453	16,686	57
Hawaii	1,136	1,796	63
Idaho	674	1,844	37
Illinois	16,069	22,646	71
Indiana	6,398	11,416	56
Iowa	2,090	3,837	54
Kansas	2,182	4,522	48
Kentucky	3,780	9,298	41
Louisiana	8,808	14,090	63
Maine	1,146	1,980	58
Maryland	6,193	8,253	75
Massachusetts	4,919	6,971	71
Michigan	9,416	16,632	57
Minnesota	3,353	5,086	66
Mississippi	6,039	9,039	67
Missouri	5,995	10,388	58
Montana	761	1,335	57
Nebraska	1,375	2,322	59
Nevada	838	1,858	45
New Hampshire	706	1,277	55
New Jersey	7,898	10,323	77
New Mexico	2,468	4,295	57
New York	19,465	25,993	75
North Carolina	7,897	14,322	55
North Dakota	481	914	53
Ohio	12,980	21,372	61
Oklahoma	3,589	8,417	43
Oregon	2,384	4,185	57
Pennsylvania	12,349	18,525	67
Rhode Island	943	1,414	67
South Carolina	5,534	8,809	63
South Dakota	702	1,232	57
Tennessee	5,983	11,417	52
Texas	19,333	47,029	41
Utah	1,207	3,326	36
Vermont	475	785	61
Virginia	6,175	10,506	59
Washington	4,193	7,223	58
West Virginia	1,751	4,117	43
Wisconsin	5,000	7,497	67
Wyomine	455	1,083	42
Total	280,308	477,705	58

Sources: Kristin A. Moore, "Facts At A Glance", Child Trends, Inc., Washington, D.C.

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TEENAGE PREGNANCY PROJECT

The Teenage Pregnancy Project, funded by the Ford Foundation, is designed to provide state legislators and legislative staff with information and resources related to teen-age pregnancy and parenting, drawing from experiences in the 50 states. Major project activities are providing technical assistance, producing publications and contributing to the NCSL Annual Meeting.

Technical Assistance

On-site technical assistance is being offered to three different states each year. The assistance must be requested by a legislator, and typically takes the form of presentations, workshops or bill drafting.

Publications

The project writes and disseminates three publications a year describing successful state experiences.

Three State Legislative Reports have been completed:

- **"Teen-age Pregnancies: Can We Afford Not to Prevent Them?"**

Analyzes family life education, school-based health clinics and community-based strategies for teen-age pregnancy prevention.

- **"Legislative Initiatives: A 50-State Survey"**

A review of state legislative initiatives related to teen-age pregnancy and parenting during the 1986 and 1987 sessions.

- **"Teen-age Pregnancy and Child Support: Creating Family Ties"**

Examines public policy options for dealing with special problems of establishing paternity and enforcing child support orders for children of teenagers.

Other activities include:

- Compiling and maintaining a topical computerized listing of legislative activity from 1985 to present; and
- Organizing an information clearinghouse, within a national computerized legislative information system, comprised of state legislative committee reports, interim reports, legislation and other pertinent resource materials that legislators can use in making policy decisions;

For more information, contact Heather Maggard, senior project manager, in the Denver office at (303) 623-7800.



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National Conference of State Legislatures Children, Youth, and Families Program

The Children, Youth, and Families Program of the National Conference of State Legislatures is designed to meet the needs of state legislatures in developing policy and programs related to children and families. The following services are available at no cost to legislators and staff:

- information clearinghouse
- research assistance
- publications
- technical assistance

Technical assistance includes testimony at committee hearings, briefing sessions for state legislators and their staffs, and bill drafting and analysis. Resources and expertise are provided by NCSL staff, national experts, and legislators.

Project Areas

Child Care/Early Childhood Education. Funded by the Carnegie Corporation of New York, the project facilitates coordinated policymaking between legislators who work on child care issues in human services committees and those who work on education issues in education committees. The project assists state legislators in developing coordinated programs to meet child care and early education needs. Technical assistance is a major project commitment, including: planning and strategizing meetings with legislators, legislative staff, and professionals in the public and private sector; on-site delivery of assistance through hearings, briefings, workshops, or seminars; and evaluation meetings.

Child Support Enforcement. With the growing number of single-parent families, state and federal laws protecting these families' rights in establishment of paternity, child support orders, and enforcement of support are important public policy considerations. The project, under contract with the federal Office of Child Support Enforcement, assists lawmakers in developing child support public policy, including: program analysis, assistance in interpreting and drafting laws per federal compliance issues; and assessing inter- and intrastate child support enforcement, and paternity establishment legislation.

Child Welfare. Through a grant from the Edna McConnell Clark Foundation, the Child Welfare Project assists state legislators in improving state child welfare systems. State child welfare systems are the primary means by which states meet the needs of abused and neglected children. Foster care or out-of-home placement is the most expensive form of child welfare service and the most traumatic for the child. With the recent explosion of abuse and neglect reports, state child welfare systems are experiencing enormous stress. Consequently, many states are exploring service alternatives. Services to prevent out-of-home care, to reunify families, and to provide adoption and other placement alternatives have become major components of the child welfare system. Technical assistance is available to legislators in a variety of areas to improve services, to assist states in complying with the federal Adoption Assistance and Child Welfare Act (P.L. 96-272), and to evaluate administration and financing mechanisms.

Teen Pregnancy. The Teenage Pregnancy Project, funded by the Ford Foundation, provides state legislators and legislative staff with information and resources from state experience related to teenage pregnancy and parenting. Major project activities are to provide on-site technical assistance to three states each year, produce three publications annually, operate an information clearinghouse, participate in a national advisory committee, and contribute to the NCSL Annual Meeting.

For more information, call or write Shelley Smith, Program Manager, Children, Youth, and Families Program, National Conference of State Legislatures, 1050 Seventeenth Street, Suite 2100, Denver, Colorado 80265, (303) 623-7800

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